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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO-OAKLAND DIVISION**

19 DAVID M. CATHCART, JAMES H.
WHITEHEAD, ROBERT W. DECKER, DALE
20 BALDISSERI, individually, and on behalf of all
others similarly situated,

21 Plaintiff,

22 v.
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24 SARA LEE CORPORATION, SARA LEE
BAKERY GROUP, EARTHGRAINS BAKING
COMPANIES, INC. (formerly sued as DOE 1)
25 and DOES 2 through 20,

26 Defendants.
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Case No. CV 09-5748 MMC

**CLASS ACTION AND FLSA
COLLECTIVE ACTION**

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND MEDIATION
COMPLETION DEADLINE**

The Honorable Maxine M. Chesney

Complaint filed: December 8, 2009

1 All parties to this action enter into the following stipulation based on the following facts:

2 The parties previously agreed to participate in Mediation pursuant to ADR L.R. 6.

3 The current Mediation Completion Deadline of March 18, 2011, was set by this Court's
4 Scheduling Order (Dkt. No. 33) of May 14, 2010.

5 The parties have been meeting and conferring to resolve discovery disputes. As a result,
6 the discovery and motion deadlines in this case have previously been continued by stipulated
7 order on October 7, 2010 (Dkt. No. 35) and November 12, 2010 (Dkt. No. 44).

8 On March 3, 2011, counsel met in person and conferred on a number of discovery
9 disputes. On March 8, 2011, defendants sent to plaintiffs a draft stipulation intended to set forth
10 the agreements made during the meeting and conferring of March 3, 2011.

11 The parties are determined to engage in a productive mediation session in an effort to
12 resolve this matter without the need for further, protracted litigation.

13 In order to do so, the parties require additional time to complete the discovery about
14 which they met and conferred.

15 The parties believe an extension of the Mediation Completion Deadline is necessary and
16 appropriate, and will cause no prejudice.

17 Therefore, THE PARTIES HEREBY STIPULATE and request that the Court order the
18 Scheduling Order (Dkt. No. 33) modified to state that the Mediation Completion Deadline is
19 extended to June 30, 2011, or such other date as the Court deems appropriate.

20 SO STIPULATED.

21 In compliance with General Order No. 45 (X), as filing party, Plaintiffs attest that all
22 signatories below concur in the filing of this document.

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1 DATED: March 11, 2011

MAYER BROWN LLP
JOHN NADOLENCO
JEROME JAUFFRET
KRISTEN ROWSE

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5 By: /s/ Kristen Rowse
Kristen Rowse
6 Attorneys for Defendants
SARA LEE CORPORATION, SARA LEE
7 BAKERY GROUP and EARTHGRAINS
8 BAKING COMPANIES, INC.

9 DATED: March 11, 2011


SPIRO MOSS LLP

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11 By: /s/ Ira Spiro
Ira Spiro
12 Attorneys for Plaintiffs

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14
15 **~~[PROPOSED]~~ ORDER**

16 Good cause appearing, the Scheduling Order is Modified such that the Mediation Completion
17 Date is changed to June 30, 2011.

18 DATED: March 15, 2011

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MAXINE M. CHESNEY
United States District Judge